

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

WENDY GREER,

Plaintiff,

v.

KOHL'S INC., et al.,

Defendant(s).

Case No. 2:23-cv-00871-JCM-NJK

ORDER

[Docket No. 21]

Pending before the Court is a stipulation to extend case management deadlines by 90 days. Docket No. 21.

A request to extend unexpired deadlines in the scheduling order must be premised on a showing of good cause. Fed. R. Civ. P. 16(b)(4); Local Rule 26-3. The good cause analysis turns on whether the subject deadlines cannot reasonably be met despite the exercise of diligence. *Johnson v. Mammoth Recreations, Inc.*, 975 F.2d 604, 610 (9th Cir. 1992). The required showing of diligence is measured by the conduct displayed throughout the entire period of time already allowed. *See, e.g., Muniz v. United Parcel Serv., Inc.*, 731 F. Supp. 2d 961, 967 (N.D. Cal. 2010). “When a request to extend case management deadlines is made by stipulation, courts may consider the joint nature of the request in deciding whether the circumstances warrant an amendment to the scheduling order. Nonetheless, courts addressing such requests are deciding at bottom whether to modify their own orders, an issue that need not be based necessarily on the promptings of the parties.” *Williams v. James River Grp.*, 627 F. Supp. 3d 1172, 1178 (D. Nev. 2022).

The instant stipulation seeks the requested extension for the purpose of preparing expert opinions and reports based on outstanding discovery that remains to be completed. *See, e.g.,*

1 Docket No. 21 at 4. The circumstances presented warrant an extension, but not one spanning three
2 months.¹ Instead, the Court will allow a 60-day extension to the case management deadlines.

3 Accordingly, the stipulation to extend case management deadlines is **GRANTED** in part
4 and **DENIED** in part. Deadlines are **RESET** as follows:

- 5 • Amend pleadings/ add parties: closed
- 6 • Initial experts: December 7, 2023
- 7 • Rebuttal experts: January 8, 2024
- 8 • Discovery cutoff: February 5, 2024
- 9 • Dispositive motions: March 6, 2024
- 10 • Joint proposed pretrial order: April 5, 2024, or 30 days after resolution of dispositive
11 motions

12 IT IS SO ORDERED.

13 Dated: September 11, 2023



Nancy J. Koppe
United States Magistrate Judge

27 _____
28 ¹ Moreover, the proposed dates provided in the stipulation do not comply with the Local
Rules.